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October 21, 2004

Hon. Bradley A. Smith, Chairman
Hon. Ellen L. Weintraub, Vice Chair
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Matter Under Review # 5525 - Harlan Crow

Dear Mr. Chairman and Madam Vice Chair:

We represent Mr. Harlan Crow in the above captioned matter. We have received a copy of the complaint and have reviewed the allegations presented in the complaint. The assertions set forth in the complaint were reviewed as they might, if true, implicate the Federal Election Campaign Act of 1971, as amended (the "Act"), and the Regulations of the Federal Election Commission (the "Commission"). Upon review, we believe that the complainant has failed to demonstrate that my client has violated any provision of the Act or the Commission's Regulations. Because we believe that the complainant has failed to demonstrate a violation, we ask that the Commission find that there is no "reason to believe" that the Act was violated, close this MUR, and take no further action against Mr. Crow.

At best, this complaint consists almost exclusively of press reports and uninformed speculation put forward by the complainant. The facts are these: (a) Mr. Crow donated personal funds to an organization that prepared and aired public communications; (b) in making the decision to contribute to this effort, Mr. Crow did not coordinate with any individual who was, to Mr. Crow's knowledge and belief, an employee or agent of the Bush-Cheney campaign; (c) no one connected with the Bush-Cheney campaign asked Mr. Crow to financially assist in the airing of these broadcast announcements; and (d) Mr. Crow did not inform any employee or agent of the Bush-Cheney campaign that he had supported this effort.

In summary, the facts do not support the assertion that Mr. Crow engaged in a "coordinated communication," as defined at 11 CFR 109.21, or that the communications at issue

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meet the “conduct” standard set forth at 11 CFR 109.21(d). As a result, we ask that the Commission dismiss this complaint without further delay.

Sincerely,

WILLIAMS & JENSEN, P.C.

A handwritten signature in black ink, appearing to read 'W B Canfield III', with a long horizontal line extending to the right.

William B. Canfield III

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